

Minutes

Village Board of Trustees

September 25, 2008

A meeting of the Village of Horseheads Board of Trustees was held on the above date at 7:00 p.m.
Present were:

Village Board and Staff:

Mayor Donald Zeigler
Deputy Mayor Ronald Swartz
Trustee Howard Miller
Trustee Walter Herbst
Trustee George Koliwasky
Village Manager Marc Whitney

Police Chief Mike Barton
Fire Chief Arthur Sullivan
Clerk-Treasurer Sharron Cunningham
Deputy Clerk Michele Accavallo
Manager's Assistant Rachel Baer

Others:

Martha Hauser, 407 W. Broad St.
Jean Quinn, 555 Gardner Rd.
Suzanne Peters, 104 W. Mill St.
Elton and Nancy Shaw, 218 Liberty St.

Walter McNeil, 914 S. Main St.
Dave Radin, 501 S. Main St.
News Media

Resolution by Trustee Miller, seconded by Trustee Herbst

BE IT RESOLVED, that the reading of the minutes of the Board of Trustees Meeting of September 11, 2008 be dispensed with and the same stand approved as entered by the Clerk.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

BE IT RESOLVED, that the Clerk-Treasurer is hereby authorized to transfer the funds indicated on the attached sheet.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye

Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

Resolution by Trustee Miller, seconded by Trustee Koliwasky

BE IT RESOLVED, the time of the regularly scheduled Board of Trustees Meeting of October 9th be changed from 7:00p.m. to 4:00p.m.

Mayor Zeigler stated that this change is due to some Trustees going out of town.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

At this time, the Board discussed changing the regular time of all future Board Meetings in order to better accommodate having workshops. After brief discussion, it was agreed to have the Board Meetings at 6:00 p.m., and any necessary workshop would be immediately after.

Resolution by Trustee Swartz, seconded by Trustee Miller

BE IT RESOLVED, that effective October 23, 2008, the regular monthly meetings of the Village of Horseheads Board of Trustees shall be held on the second and fourth Thursdays of the month at 6pm.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

Resolution by Trustee Miller, seconded by Trustee Herbst

WHEREAS, the last collective bargaining agreement between the Village and the Civil Service Employees Association Unit #6359 ("C.S.E.A.") expired on May 31, 2007, and

WHEREAS, appointed negotiators on behalf of the Village of Horseheads and the C.S.E.A. have engaged in extensive efforts to negotiate a successor collective bargaining agreement, and said negotiators have presented a proposed agreement to their respective parties and have recommended adoption/ratification of same, and

WHEREAS, this Board is informed that the C.S.E.A. has ratified the draft agreement and has authorized and directed its President to execute same, and

WHEREAS, Village Manager Marc Whitney has recommended to this Board its adoption and ratification of the proposed agreement.

NOW THEREFORE BE IT RESOLVED, that this Board hereby approves and ratifies said agreement, that Village Manager Marc Whitney be and hereby is authorized and directed to execute the collective bargaining agreement with the Horseheads C.S.E.A. commencing on and retroactive to June 1, 2007 and expiring on May 31, 2010, and be it further

RESOLVED, that a copy of said agreement shall be placed on file with the Village Clerk, and be it further

RESOLVED, that the appropriate employees of the Village are authorized and directed to take such steps and action as is necessary to effectuate the provisions of the agreement.

Trustee Herbst asked about the time frame for renegotiating Article 30 of the contract. Village Manager Whitney said that it would be during the contract period.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye
Trustee Koliwasky:	Aye

Resolution by Trustee Koliwasky, seconded by Trustee Herbst

WHEREAS, the Village of Horseheads is the owner of a property located at 713 W. Broad Street, and

WHEREAS, this Board has been informed and believes that the northerly 100 feet of said property, improved with a dwelling, and the westerly 70.5 feet of 713 W. Broad Street for the same depth is no longer necessary to the Village for governmental purposes, and

WHEREAS, Village Law Section 1-102(1) permits the sale of unnecessary property of the Village.

NOW THEREFORE BE IT RESOLVED, that this Board does hereby declare said premises surplus to the Village of Horseheads, and be it further

RESOLVED, that Village Manager Marc Whitney is authorized and directed to enter into a listing agreement with Realty USA for the marketing and sale of said premises.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye
Trustee Koliwasky:	Aye

Resolution by Trustee Swartz, seconded by Trustee Miller

BE IT RESOLVED, that the application by Barber Funeral Home for a Special Sign Permit for 413 S. Main Street is hereby received, and same is to be forwarded to the Village Planning Board and Traffic Commission for their review and comment.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

Resolution by Trustee Swartz, seconded by Trustee Koliwasky

BE IT RESOLVED, that the Public Works Director is hereby authorized to attend the NYCOM Public Works Training School, October 21-22, 2008 in Saratoga Springs, NY with all expenses paid as are allowed under Section 77B of the General Municipal Law.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

Motion by Trustee Miller, seconded by Trustee Swartz, that the following item be added to the agenda:

- Waiver of 30-Day Period for Liquor License - American Legion

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

Resolution by Trustee Herbst, seconded by Trustee Miller

WHEREAS, the Richard E. Bentley Post Memorial, Inc. ("Horseheads American Legion"), is owner of premises known as 71 Old Ithaca Road, Horseheads, NY, and has represented to this Board its intention to apply for or renew its liquor license at said facility, and

WHEREAS, Horseheads American Legion has asked this Board to waive the 30-day waiting period required under NYS ABC Law Section 64.2(A), and

WHEREAS, this Board is informed and believes that the sale of alcoholic beverages from this location will be for on-premises consumption.

NOW THEREFORE BE IT RESOLVED, that Village Manager Marc Whitney is authorized and directed to submit a letter to the NYS Liquor Authority advising that the Village consents to the waiver of the statutory 30 day notice and waiting period.

Roll Call Vote:

Mayor Zeigler: Aye
Trustee Swartz: Aye
Trustee Miller: Aye
Trustee Herbst: Aye
Trustee Koliwasky: Aye

Trustee Herbst - received a comment from Pam French, advised that she appreciates flowers in median on Grand Central Ave. and asks that we keep them involved in redesign of median.

Trustee Swartz - regarding the median, what is immediate future of flower beds, it looks pretty shabby.

Village Manager Whitney - ladies from Garden Club say they will be uprooting flowers, preserve roots and relocating them.

Trustee Herbst - on the sidewalk program, have we finalized an idea of having the Village do some of the work.

Village Manager Whitney - right now its still the 50/50 program with the residents.

Mayor Zeigler - Other areas have the municipality rip out the old sidewalk, someone else puts back new. Or, trying to use CDBG money for sidewalk replacement.

Trustee Koliwasky - that problem on Broad St. with the over-size piece of equipment, anything been resolved yet.

Village Manager Whitney - I looked at it, he has not brought the big equipment back.

Trustee Koliwasky - used to have a Hhds. flag fly outside. Only President or Governor can request that the American flag be flown at half mast. We should drop Village flag half mast if necessary.

Chief Barton stated that the automatic license plate reader is working very well.

Chief Sullivan - On October 11th we are having the Fire Prevention expo at Sullivan Park. I sent everyone an email today regarding the FEMA grant - please read and reply.

Suzanne Peters, 104 W. Mill St. - consideration should be given to slowing down traffic on Grand

Central Ave.

Motion by Trustee Swartz, seconded by Trustee Miller, that this Board, the Village Manager and Clerk-Treasurer move into an Executive Session to discuss the employment history of a particular person.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye
Trustee Koliwasky:	Aye

At 7:40 p.m., the Village Board, Village Manager and Clerk-Treasurer moved into an Executive Session, the minutes of which are attached hereto and made a part hereof.

At 8:35 p.m. the Board reconvened back into its regular meeting of this date.

As there was nothing further to come before the Board, the meeting was adjourned.

/rmb

Village Board of Trustees

EXECUTIVE SESSION

September 25, 2008

An Executive Session of the Village of Horseheads Board of Trustees was held on the above date at 7:45 p.m. in Village Hall. Present were Mayor Donald Zeigler, Trustees Ronald Swartz, Howard Miller, Walter Herbst, and George Koliwasky, Village Manager Mark Whitney, and Clerk-Treasurer Sharron Cunningham at which time they discussed a personnel matter involving a particular person.

At 8:35 p.m., upon motion by Trustee Swartz, seconded by Trustee Miller, the executive session was adjourned, and the Board reconvened back into its regular meeting of this date.

Roll Call Vote:

Mayor Zeigler:	Aye
Trustee Swartz:	Aye
Trustee Miller:	Aye
Trustee Herbst:	Aye
Trustee Koliwasky:	Aye

/rmb

**TRANSFER LIST -
9/25/2008**

GENERAL

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$2,088.54	1230.144	1230.173	MGR. INS. BUY OUT
\$1,312.00	1230.144	1325.109	PT CLERK
\$8,626.15	1619.136	1619.137	COM. SERVICE OFF.
\$19,000.00	1990.477	1620.495	KOPPER'S POND
\$230.00	1230.144	1625.440	COMPRHENSIVE PLAN
\$3,800.66	1230.440	1910.472	LIABILITY INSURANCE
\$10,620.65	5113.100	5110.440	STREET CONT. SERVICE
\$22,000.00	5110.410	5110.440	STREET CONT. SERVICE
\$15,000.00	8160.440	5110.440	STREET CONT. SERVICE
\$4,000.00	5113.100	5113.440	LINEAR PARK
\$14,000.00	7310.100	7110.100	PARKS PERSONNEL
\$3,500.00	7141.100	7141.410	CONCESSION STAND
\$1,700.00	7310.410	7310.413	POOL CLOTHING
\$105,878.00	TOTAL		

WATER

<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>	<u>DESCRIPTION</u>
\$613.12	1623.465	1623.467	NETWORK ADMIN.
\$3,972.00	1990.477	1910.472	LIABILITY INSURANCE
\$2,200.00	8340.440	8310.111	METER READER
\$244.00	8340.440	8310.440	WATER CONT. SERV.
\$7,029.12	TOTAL		